

USDC SCAN INDEX SHEET



USA

VONDETTE

MEG 11/7/97 9:56

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CRCMP.

AFFIDAVIT IN LIEU OF INDICTMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIAMagistrate's Docket No.
Case No.

OCT 28 1997

CLOSED

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY

'97 mg 2571

The accused Michael J. Vondetk, now presented before
Anthony J. Battaglia, United States Magistrate Judge, for
arraignment and fixing of bail, has been charged before a United
States Magistrate Judge in the EASTERN District of
New York at Brooklyn, on APRIL
15, 1997, with the offense that on or about JANUARY 23, 1997,
(Offense date)
at Rock Hill, New York in violation of United States Code,
(Place of offense)

Title 21, Section(s) 846 & 846A, the accused Michael J. Vondetk
Conspired with others to distribute approximately
(Brief statement of offense charged)
9000 pounds of Hashish which was part of a larger
load of hashish that had come into California, and delivered to NY
and a warrant for his arrest was issued on 4-15-97 by truck.

Bond in the sum of detention has been recommended by an
Assistant United States Attorney in the district in which the
charges are pending.

DATED: 10/28/97.

Affiant

Special Agent DEA

Title

Lodged with me this 28 day of October, 1997.

in lieu of certified copy of complaint against the accused.

[Signature]
United States Magistrate Judge

United States District Court

EASTERN

DISTRICT OF

NEW YORK

UNITED STATES OF AMERICA
V.

WARRANT FOR ARREST

MICHAEL J. VONDETTE,
also known as "Glenn Titus,"
"M. J. Vondette," "Michael
J. Von Dettie., "Mike," "Big Guy" and "Big."

CASE NUMBER: 97 M 572

To: The United States Marshal
and any Authorized United States Officer

MICHAEL J. VONDETTE, also known as "Glenn
Titus," "M. J. Vondette," "Michael J. Von
Dettie," "Mike," "Big Guy" and "Big,"
YOU ARE HEREBY COMMANDED to arrest

and bring him or her forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him ~~either~~ with (brief description of offense)

knowingly and intentionally conspiring to distribute and to possess with intent to
distribute marijuana, a Schedule I controlled substance.

In violation of Title 21 United States Code, Section(s) 841(a)(1), 841(a)(1), 841(b)(1)(A)

Hon. Michael L. Orenstein
Name of Issuing Officer

U.S. Magistrate Judge

Title of Issuing Officer

Signature of Issuing Officer

April 15, 1997

Date and Location

Bail fixed at \$ by
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

LEL:BTR:br
F.#
BTR7010.COM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

MICHAEL J. VONDETTE,
also known as "Glenn Titus,"
"M. J. Vondatte,"
"Michael J. Von Dette,"
"Mike," "Big Guy," "Big,"
and "Steve."

Defendant.

COMPLAINT

M. No. 97M572
(T. 21, U.S.C., §§
841(a)(1),
841(b)(1)(A)(vii)
and 846 and T.18,
U.S.C., 2 and 3551
et seq.)

- - - - - X

EASTERN DISTRICT OF NEW YORK, ss:

EDWIN HOLMES being duly sworn, deposes and says that he is a Detective of the Nassau County Police Department assigned to the Drug Enforcement Administration, Marijuana Task Force, duly appointed according to law and acting as such. This complaint is based on information and belief the source of that information and the basis of my belief being personal observations and direct knowledge, discussions with other agents, and cooperating government witnesses which established that:

In or about and between January 1993 and the date of this complaint, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL J. VONDETTE also known as "Glenn Titus," "M. J. Vondatte," "Michael J. Von Dette," "Mike," "Big Guy," "Big" and "Steve" and others did knowingly and intentionally conspire to distribute and to possess with intent to distribute

marijuana, a Schedule I controlled substance, in violation of Section 841(a)(1) of Title 21 of the United States Code.

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(vii); Title 18, United States Code, Sections 3551 et seq.).

1. I am a Detective of the Nassau County Police Department assigned to the Drug Enforcement Administration's, multi-ton marijuana task force which is comprised of the Drug Enforcement Administration ("DEA"), U.S. Customs Service ("Customs"), the Internal Revenue Service ("IRS") and members of the Nassau and Suffolk County's Police Departments. I have been a Police Officer for over 26 years. I have personally worked for 13 years in narcotic related investigations.

2. During the month of December 1996, DEA and Customs agents in Los Angeles, California conducted an undercover operation resulting in the seizure of 25 tons of hashish after a rendezvous with a mothership in the Pacific ocean. Investigation disclosed that 9000 pounds of this load was to be delivered to the greater New York area for distribution. After DEA transported the hashish to New Jersey a subsequent controlled delivery of the 9000 pounds of hashish was made in Rockhill, New York. As a result of this delivery, on January 23, 1997 defendant, Randall Resnick was arrested upon receiving delivery of the 9000 pounds of hashish.

4. In January of 1997, your deponent along with other agents and task force officers debriefed a cooperating individual

(CS#1) relative to the 9000 pounds of hashish. The confidential source (CI#1) stated that in 1993 he was introduced to "MIKE" (MICHAEL J. VONDETTE). The source, CS#1 stated that during June of 1996 he met again with "MIKE" at a restaurant in Rock Hill, New York. During that meet "MIKE" asked CS #1 if he had a place to park a trailer. "MIKE" then told CS#1 that he would recontact him at a later date. During the month of JUNE, 1996 the CS#1 was also provided with 1000 Quaalude tablets by "MIKE".

5. In September of 1996 another meeting took place between CS#1 and "MIKE" at the restaurant in Rock Hill, New York. During this meeting CS#1 stated that he paid \$5,000 to "MIKE" for the 1000 Quaaludes "MIKE" had given him in June of 1996. In addition, during this meeting CS#1 received an additional 2000 Quaaludes from "MIKE". At this meeting CS#1 stated that "MIKE" further inquired about him parking a truck and told him he would be paid a 5 digit figure.

6. On or about Sunday, January 19, 1997 at approximately 7:00 p.m. hours "MIKE" arrived at the Rock Hill restaurant and met with CS#1. The source stated that at this meet "MIKE" stated to him, "It looks like it's coming in Wednesday," "MIKE" then asked him for directions to give to the trucker for the location of where the load would be delivered to. "MIKE" further stated to CS#1 that the trailer was coming in from California and requested to be taken to the site. CS#1 stated that he then drove "MIKE" to the off load site in his jeep.

7. On Tuesday, January 21, 1997 CS#1 stated that he received a telephone call from "MIKE" who stated to him that the truck was coming in on Wednesday. "MIKE" then asked the source if there were any problems up there or with weight on the road. CS#1 stated that "MIKE" also stated that there was a lot of weight on the truck.

8. On Wednesday, January 22, 1997 CS#1 stated that "MIKE" called him and asked him if the truck had arrived. Later that day at approximately 1:00 p.m. the source stated that "MIKE" called back and said that the truck would be late because there was no driver. Again later that day, at approximately 5:00 p.m. hours "MIKE" called the source. This time "MIKE" stated when the truck arrived to check the truck and driver out. At 11:30 p.m. the source stated that "MIKE" called and told him to go into the business (Resnick Equipment-the site of the off load) and see if the trucking company had made any attempt to contact CS#1 about the delivery. When CS#1 went inside he stated that shortly thereafter he received a call from the truck's driver stating that he would be there in 15 minutes. According to CS#1 "MIKE" called back and was told by the source that the truck had arrived. "MIKE" then reaffirmed his request to check out the truck and also to make sure that the truck was sealed.

9. On January 23, 1997 Randy Resnick was arrested after he took delivery of the 9000 pounds of hashish from the truck driver.

10. On January 21, 1997 the confidential source stated that he received a telephone call while at the Rock Hill restaurant from "MIKE." "MIKE" was informed by the source that the truck was in. At a later telephone call that day "MIKE" stated to the source that the team was together, everything is okay and he will be in touch with him either today or tomorrow. "MIKE" further inquired about the truck driver.

11. On April 7, 1997 the confidential source known here as CS#1 positively identified a photo of the defendant under the alias of "Glenn Titus" as "MIKE" or "BIG GUY" from a photo array. That photo matches a photograph of MICHAEL J. VONDETTE, obtained from N.Y.S. Department of Motor Vehicles. MICHAEL J. VONDETTE was previously convicted and served a federal prison sentence for hashish distribution.

12. On April 3, 1997 your deponent interviewed a confidential source herein referred to as CS#2. CS#2 stated to your deponent that "MIKE" has been supplying him with small quantities of marijuana since 1994. During several meetings and telephone contacts occurring during the 1995 period between "MIKE" and CS#2, the source learned that "MIKE" was involved in the distribution and sale of narcotics.

13. On or about late November early December, 1996 CS#2 stated that he received a telephone call from "MIKE" who said that he would be coming up to see him and that he was doing "some work". CS#2 understood that to mean that "MIKE" was doing some drug dealing.

14. On or about January 2, 1997 CS#2 received a telephone call from "MIKE". The source stated that during that call "MIKE" asked him to meet him at a diner. The source stated that he went and met with "MIKE" at the Colonial Diner in Middletown, N.Y. At this meeting "MIKE" further stated to CS#2 that he has product (narcotics) coming in and would be around for awhile. "MIKE" also stated to the source that "RANDY" (RESNICK) was involved and that they had worked out an agreement. The source stated that "MIKE" also gave him approximately 1/2 ounce of marijuana during the meeting.

15. On Tuesday, January 21, 1997 CS#2 stated that he again met with "MIKE" at the Colonial Diner in Middletown, N.Y. At this meeting "MIKE" asked him to hold some equipment for him. "MIKE" then placed two green large dufflebags and two or three yellow poncho raincoats in the source's car trunk. The source stated that the two duffle bags were very heavy.

16. On January 23, 1997 at 10:00 am CS#2 received a telephone call from "MIKE". The source stated that "MIKE" told him he was going to pick up the equipment. Later that day the source received a second telephone call from "MIKE" who asked CS#2 to meet him at a restaurant in Nyack, N.Y. CS#2 stated that he then drove down to Nyack in his Jeep and returned the equipment to "MIKE" at that time. "MIKE" was in the company of two white males. While "MIKE" was moving the equipment CS#2 observed an envelope seated on the front seat of "MIKE"'s vehicle. CS#2 stated that he took the envelope as insurance against "MIKE"

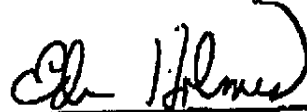
because earlier during this meet "MIKE" told CS#2 that he had a problem. "MIKE" then directed me to drive to the DODGE INN and meet with Randy (Resnick). "MIKE" told me there was a problem with the truck driver and the load of dope. He told me to tell Randy not to open the truck and to ask Randy if he needs any legals and call me ("MIKE") if he did and he would get contracts (money). Knowing that there was a problem with the load CS#2 believed that the envelope would help him out later on.

17. On April 3, 1997 CS#2 was arrested and surrendered the envelope that was taken from "MIKE" (see paragraph # 16). Investigative analysis disclosed the envelope to contain various documents to include assorted identification including a N.Y. state driver's license in the name of Glen TITUS who CS#2 subsequently identified as "MIKE" or "BIG GUY".

18. On April 10, 1997, CS#3 viewed a photo array containing the photograph of the defendant MICHAEL J. VONDETTE. CS#3 is a multi-ton drug dealer who is cooperating with the government. CS#3 positively identified the photograph of the defendant as an individual whom CS#3 knew as "Big Guy" or "Steve." CS#3 has known the defendant for a number of years and indicated that in 1986-7 CS#3 and the defendant VONDETTE met with others on a number of occasions and smuggled and distributed one

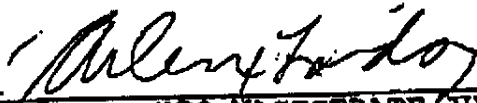
ton of marijuana from Thailand to New York.

WHEREFORE, your deponent respectfully requests that the defendant MICHAEL J. VONDETTE be dealt with according to law.



EDWIN HOLMES
Detective
Nassau County Police Department
Deputized DEA Agent

Sworn to before me this
14th day of April, 1997.


UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

Magistrate Information Sheet

'97 mg 2571

1. Dis. Auth. _____ 1A. USAO # _____ Ct.# _____ Agency # DE 2. Hg. Date _____
 2. AUSA IAZ 4. Mag. BAI 5. Mat. Wit. Custs NO. Arraign M/W Release M/W Other _____
 Def. # 1 of 1 6. Def Name: Michael J. Vondette Soc. Sec. # 560-74-3330
 Alias: GLEN TIVUS, M.S. VAN Birth Date 8-27-50
 Address: _____

7. Filp? Yes ☒ No Charges 21 USC 841(a)(1) 8. Arrest Date Oct. 28, 1997
 Penalties Life / 10 years M/M Place of Arrest: San Diego County Jail
 Agents Matt Mahoney Phone #: 616-4406 Date Committed: 10-28-97
 Agency DEA Program Category: Drug Violation

9. Custody? ☒ Yes No 10. Citizenship? ☒ U.S. Mex. Other _____
 11. INS Status: Res Bec Illegal Other _____
 Prior Reports: _____ Prior VR's: _____
 Prior Records: _____
 Drug Usage: _____ How Evidenced? _____
 Cash on Def. \$ _____ Other Evidence: _____
 Agents Fact Summary: _____

Agents Bail Info (Employment, Family, Etc.) _____

Vehicle Seized (Describe) _____ Mat/Wit Atty: _____
 12. Def. Atty: Apptd. Ptd. To Retain 13. Def. Atty. Name _____
 14. Plea: Guilty Count _____ NG Nolo 15. RCD? Yes No 16. Sent. _____
 Don't Sent _____ 18A. S.A. \$ _____ 17. Dism? Ct. Govt. _____
 18. Next Court for _____ 19. Date _____ 20. Time _____ and for _____ on _____ at _____
 21. Bond Set _____ Conditions _____

22. Pers Info _____
 23. Sentencing Guidelines: _____
 24. Potential Forfeitures _____

Gov't Sent Recommendation: _____
 Defendant's Sent Recommendation: _____
 Probation Dept Recommendation: _____

LEE:STB:BT
F:9604150
B07076.LND

971010

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RECEIVED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
LONG ISLAND OFFICE

BLATT, J.

ORENSTEIN, M.

UNITED STATES OF AMERICA

OCT 31 1997

INDICTMENT

against -

MICHAEL J. VONDETTE,
also known as "Glenn Titus,"
"M. J. Vondette,"
"Michael J. Von Dette,"
"Mike," "Big Guy," "Big,"
and "Steve,"

Cr. No. _____
(T. 21, U.S.C., §§
841(a)(1),
841(b)(1)(A)(vi),
846, 848(a), 853,
960(b)(1)(G),
963; T. 18, U.S.C.,
§§ 2 and 3551 et
seq.)

Defendant.

----- X

THE GRAND JURY CHARGES:

COUNT ONE
(Continuing Criminal Enterprise)

1. In or about and between January 1981 and the date of this indictment, within the Eastern District of New York and elsewhere, the defendant MICHAEL J. VONDETTE, also known as "Glenn Titus," "M. J. Vondette," "Michael J. Von Dette," "Mike," "Big Guy," "Big," and "Steve" (hereinafter MICHAEL J. VONDETTE), and others, did knowingly and intentionally engage in a continuing criminal enterprise in that he committed violations of Title 21, United States Code, Sections 841, 843(b), 846, 952, 959, 960 and 963, involving an amount in excess of one thousand kilograms of hashish, a preparation and mixture containing marijuana, and marijuana, Schedule I controlled substances, which violations were part of a continuing series of violations of said

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statutes undertaken by the defendant MICHAEL J. VONDETTE in concert with five or more persons with respect to whom the defendant MICHAEL J. VONDETTE occupied the position of organizer, supervisor and manager and from which continuing series of violations the defendant MICHAEL J. VONDETTE obtained substantial income and resources.

(Title 21, United States Code, Section 848(a); Title 18, United States Code, Sections 2 and 3551 et seq.).

COUNT TWO
(Conspiracy to Import)

2. In or about and between January 1993 and the date of this indictment, within the Eastern District of New York and elsewhere, the defendant MICHAEL J. VONDETTE and others did knowingly and intentionally conspire to import into the United States from a place outside thereof hashish, a preparation and mixture containing marijuana, and marijuana, Schedule I controlled substances, in violation of Section 952(a) of Title 21, United States Code.

(Title 21, United States Code, Sections 963 and 960(b)(1)(G); Title 18, United States Code, Sections 3551 et seq.).

COUNT THREE
(Conspiracy to Distribute and Possess with the Intent to Distribute)

3. In or about and between January 1993 and the date of this indictment, both dates being approximate and inclusive,

3
within the Eastern District of New York and elsewhere, the defendant MICHAEL J. VONDETTE and others did knowingly and intentionally conspire to distribute and to possess with intent to distribute hashish, a preparation and mixture containing marijuana, and marijuana, Schedule I controlled substances, in violation of Section 841(a)(1) of Title 21, United States Code.

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(vii); Title 18, United States Code, Sections 3551 et seq.).

COUNT FOUR
(Forfeiture)

4. The allegations in Counts One through Three are hereby realleged and incorporated by reference as if fully set forth herein.

5. As a result of his commission of the offenses set forth in Counts One through Three, the defendant MICHAEL J. VONDETTE shall forfeit to the United States any and all property constituting and derived from any proceeds the defendant obtained directly or indirectly as a result of such criminal conduct; any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Count One through Three of this Indictment; and any of the defendant's interest in, claims against and property and contractual rights affording a source of control over the said continuing criminal enterprise.

6. The interest of the defendant MICHAEL J. VONDETTE subject to forfeiture to the United States pursuant to Title 21, United States Code, Section 853 include, but are not limited to, at least \$ 10,000,000, which amount includes, but is not limited to, the following assets of the defendant:

- a. All right, title and interest of the defendant in real property located at 2078 11th Lane, Lake Erwin, California 92314, Assessor's Parcel Number 0315-076-02, Big Bear Woodlands Lot 2, Block 11, San Bernadino County, held in the name of the defendant MICHAEL J. VONDETTE;
- b. All right, title and interest of the defendant in real property located at 2080 11th Lane, Lake Erwin, California 92314, Assessor's Parcel Number 0315-076-26, Big Bear Woodlands Lots 3 and 4, Block 11, San Bernadino County, held in the name of the defendant MICHAEL J. VONDETTE;
- c. All right, title and interest of the defendant in real property located at 17465 Mountainview Road, Sisters, Oregon, Deschutes County, Lot #38, Block # 41, Volume #181, Page 840, Squawcreek Canyon Recreation Estates 1st Addition, held in the name of the defendant MICHAEL J. VONDETTE;
- d. All Funds on Deposit in: Merrill Lynch Account Numbers 207-85k24, 207-85k27 and 207-78610 in the name of defendant MICHAEL J. VONDETTE; and Bank of America Account Numbers 09325-01415, 09324-85140, 09322-85141, 09329-86355, 09327-86356, 09328-86979, 09324-89680 in the name of defendant MICHAEL J. VONDETTE,

7. If as a result of any act or omission of defendant MICHAEL J. VONDETTE any of the property forfeitable pursuant to Title 21, United States Code, Section 853


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;



it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of such forfeitable property.

(Title 21, United States Code, Section 853).

A TRUE BILL


FOREPERSON

ZACHARY W. CARTER
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK


BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.131